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*Attorneys for Defendant
Christopher L. Gordon*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Docket No.: 4:19-cr-00009-RRB-SAO
)	
vs.)	
)	
CHRISTOPHER L. GORDON,)	
)	
Defendant.)	MOTION TO WAIVE
)	APPEARANCE, OR ALTERNATELY
)	ALLOW TELEPHONIC
)	ATTENDANCE

Defendant Christopher Gordon, through counsel, pursuant to Federal Rule of Criminal Procedure 43(b)(2), hereby moves the court to waive his appearance at the arraignment on August 15, 2019. Gordon filed a consent to proceed in his absence on August 8, 2019. The United States opposed proceeding in Defendant's absence.

Rule 43(b)(2) clearly allows for proceeding in Defendant's absence. Gordon meets the threshold requirements for granting a waiver: he is accused of a misdemeanor offense punishable by fine or imprisonment of not more than one year. *See*, 16 U.S.C. 1375(b).

Defendant has valid reasons seeking a waiver of appearance. Defendant resides in Kaktovik, Alaska, and thus must fly to and from Fairbanks to attend the arraignment. Defendant has a limited income and savings, and believed he will have difficulty procuring the funds required for a plane ticket. Defendant is employed at Facility Maintenance at the North Slope Borough's Public Works Department in Kaktovik, and is scheduled to work on August 15, 2019. Lastly, Defendant lacks child care for his 2 ½ year old child, Vincent Gordon, should he be required to travel to Fairbanks for the arraignment.

If the court is not willing to waive his appearance, Gordon respectfully requests that the court permit him to attend the arraignment by telephone. (Defendant recognizes that Federal Rule of Criminal Procedure 43(b)(2) contemplates video teleconferencing, but does not believe he has access to court-approved video-conferencing platforms in Kaktovik.)

Dated: Anchorage, Alaska
August 12, 2019

REEVES AMODIO, LLC
Attorneys for Defendant
CHRISTOPHER L. GORDON

By: /s/ Brian Stibitz
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Certificate of Service

I hereby certify that on the 12th day of August, 2019, a true and correct copy of the foregoing was filed with the Court via ECF/CMS, and as a safeguard a copy was emailed to the following:

Ryan D. Tansey
ryan.tansey@usdoj.gov,

/s/ Brian J. Stibitz